

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 13, 1973  
10:00 A.M.

Council Chambers, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Mayor Butler, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann  
Absent: Mayor Pro Tem Love

The Invocation was delivered by MR. HOMER REED, Deputy City Manager.

APPROVAL OF MINUTES

Councilman Lebermann moved the Council approve the Minutes of the Regular Meeting of August 9, 1973. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Butler  
Absent: Mayor Pro Tem Love

PROCLAMATION

Mayor Butler, in the interest of tennis, proclaimed September 9-16, 1973, as LAKEWAY WORLD OF TENNIS WEEK, and encouraged all residents to recognize the outstanding contribution this sports activity brings to this community as well as the importance of this facility to tennis enthusiasts.

SPECIAL TRAFFIC OPERATIONS FOR UNIVERSITY  
OF TEXAS FOOTBALL GAMES

City Manager Dan Davidson had a report on the one-way street system, and exclusive bus lanes, special football game bus services and proposed routes.

The parking lots and discharge and pick up locations were designated. Routes would serve hotels and clubs that were as listed. Special routing of daily service had been set up. The report included special fares.

City Manager Davidson stated the Ordinance covering the exclusive bus lanes and the Special Traffic Operations for the University of Texas football games were related to their ability to handle the traffic conditions resulting from the UT football games, and he certainly recommended this action. He stated Mr. Joe Ternus, Director of Traffic and Transportation, was present in case the Councilmen would like to question any of the items. Mr. Davidson then commended Mr. Ternus and his staff for coming up with this plan to help our condition.

#### RECOGNITION

Mayor Butler recognized Mrs. Handcox in the audience and welcomed her here.

#### PUBLIC HEARING SET

Councilman Handcox moved the Council adopt a resolution setting a public hearing at 10:00 A.M. September 27, 1973, to consider annexing the following:

18.41 acres of land out of T. J. Chambers Grant - DRY CREEK SUBDIVISION, SECTION TWO, unplatted land, and a portion of FARM-TO-MARKET ROAD 2222. (initiated by the City of Austin)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler,  
Councilman Binder

Noes: None

Absent: Mayor Pro Tem Love

#### EASEMENTS RELEASED

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easement:

A portion of the ten (10.00) foot public utilities easement across Lot A, ARROYO DE ORO. (requested by Billy F. Priest, agent for the owner, Ronald Tynes)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden

Noes: None

Absent: Mayor Pro Tem Love

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easement:

Blanket electric down-guy easement as provided by an instrument of record in Vol. 700, page 618 of the deed records of Travis County, Texas across the HARRY L. PETERSON tracts of land in the SANTIAGO DEL VALLE GRANT. (requested by Metcalfe Engineering Co. & Public Works)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden

Noes: None

Absent: Mayor Pro Tem Love

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easement:

Ten (10.00) foot public utilities easement across the middle of Lot 12-A, the resubdivision of Lots 12 and 13 of TRAVIS VISTA. (requested by B. F. Priest, agent for the owner, Emory Garth)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden

Noes: None

Absent: Mayor Pro Tem Love

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easement:

West two (2.00) feet of the ten (10.00) foot drainage easement along the east line of Lot 23, SOUTHRIDGE SECTION 5. (requested by S. & W. Design, Inc.)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden

Noes: None

Absent: Mayor Pro Tem Love

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easement:

Ten (10.00) foot public utilities easement along the east line of Lot A, resubdivision of Lot 2, KREBS LANE ADDITION.  
(requested by the owner, H.M. Reese)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden  
Noes: None  
Absent: Mayor Pro Tem Love

#### CASH SETTLEMENTS

Councilman Dryden moved the Council adopt a resolution authorizing 60/40% cash settlement as follows:

A. H. NEIGHBORS - for water and sewer service installations in the A. H. Neighbors Addition, Section 3, Estimated cost of water service installation is \$700.00 - Owner's cost @ 40% is \$280.00, City's cost @ 60% is \$420.00. Estimated cost of sewer service installation is \$750.00 - Owner's cost @ 40% is \$300.00, City's cost @ 60% is \$450.00.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilman Dryden  
Noes: Councilmen Binder, Friedman  
Absent: Mayor Pro Tem Love

Councilman Handcox moved the Council adopt a resolution authorizing 60/40% cash settlement in lieu of a refund contract, as follows:

THE McCARTY CORPORATION - for water main in McCarty Tract, Water Control and Improvement District No. 1 - Cost of Water Main is \$7,018.73 - Owner's Cost @ 40% is \$2,807.49, City's Cost @ 60% is \$4,211.24.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden,  
Handcox  
Noes: Councilmen Binder, Friedman  
Absent: Mayor Pro Tem Love

## CONTRACTS AWARDED

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

H & H CONCRETE  
CONSTRUCTION COMPANY  
203 Comal Street  
Austin, Texas

- For the installation of approximately 500 feet of 42", 36", 24", 18" R.C.P.; 8,200' of 12" and 8" water mains and approximately 5,982 feet of waste water mains in sizes varied from 8" to 18" - I. H. 35 from 46th Street to Reinli Street - \$363,124.50 (Capital Improvements Program Project Nos. 5066 3)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Absent: Mayor Pro Tem Love

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

TERRY EDWARDS  
11607 North Lamar Blvd.  
Austin, Texas

- For three reinforced concrete box culverts in Peppertree Park, Section Three - \$53,421.18 (Capital Improvements Program Project No. 6539 3)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Absent: Mayor Pro Tem Love

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

BIG THREE INDUSTRIES, INC.  
4927 East 5th Street  
Austin, Texas

- Oxygen, Acetylene, Hydrogen, Nitrogen Twelve (12) months Supply Agreement with a three (3) months extension option - \$9,845.00. Bid Invitation #3-1707

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

AMERICAN MACHINERY &  
EQUIPMENT COMPANY  
P.O. Box 1484  
Fort Worth, Texas

- Sale of Surplus Equipment - \$5,180.00.  
Bid Invitation #3-1600

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

DeLAVAL TURBINE, INC.  
4101 North Freeway  
Houston, Texas

- Fuel Oil Pumps and Motors - Reserve  
equipment for Holly and Decker Power  
Plants - \$8,304.00. Bid Invitation #3-1587

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

HOLT MACHINERY COMPANY  
Holt Avenue  
San Antonio, Texas

- Electric Forklift - Additional Equipment  
for Electric Utility Dept. - \$13,209.00  
Bid Invitation #3-1654

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

THE WALTER TIPS COMPANY - Four (4) each 500 KVA Single Phase  
200 Colorado Distribution Transformers @ \$2,133.00 -  
Austin, Texas Total: \$8,532.00. Bid Invitation #3-1718

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

MILLER CONCRETE, INC. - For East 45th Street Sidewalk Improvements  
8121 Greenslope Drive from Avenue F to Avenue H - Contract No.  
Austin, Texas 73-PARD-129 - \$4,107.20.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

ALLIED PAINTING COMPANY - For painting and floor finishing at various  
103 Red Bird Lane parks facilities - \$13,012.00.  
Austin, Texas

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Office Supplies - Annual Supply Agreement with three (3) month extension:

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

MAVERICK-CLARKE CO. - \$31,252.01. Bid Invitation #3-1569  
110 East 9th St.  
Austin, Texas

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

PRINTING SERVICE &	- \$6,580.03.
OFFICE SUPPLIES	Bid Invitation #3-1569
1725 W. Anderson Lane	
Austin, Texas	

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

#### SALE OF HOUSE

Councilman Dryden moved the Council adopt a resolution authorizing sale of house as follows:

Accept Positive Bid - to be moved

J.S. RAMSEY	26 Lynn Street	\$1,050.00
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The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilman Dryden  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Friedman, Binder

## TEMPORARY ONE-WAY STREETS

Councilman Dryden moved the Council adopt a resolution establishing one-way streets during specified time intervals for University of Texas Football Games, as follows:

a. Temporary One-Way Streets

<u>Streets</u>	<u>From</u>	<u>To</u>	<u>Direction</u>
Red River Street	15th Street	38½ Street	Southbound
San Jacinto Street	19th Street	30th Street	Northbound

From:

5:01 A.M., September 29, 1973  
 5:01 A.M., October 6, 1973  
 5:01 A.M., October 27, 1973  
 5:01 A.M., November 10, 1973  
 5:01 A.M., November 17, 1973

To:

3:00 A.M., September 30, 1973  
 3:00 A.M., October 7, 1973  
 3:00 A.M., October 28, 1973  
 9:00 P.M., November 10, 1973  
 9:00 P.M., November 17, 1973

b. Temporary Reversible One-Way Street:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction</u>
MANOR Road	Red River Street	Swisher Street	

WESTBOUNDFrom:

5:01 A.M., September 29, 1973  
 5:01 A.M., October 6, 1973  
 5:01 A.M., October 27, 1973  
 5:01 A.M., November 10, 1973  
 5:01 A.M., November 17, 1973

To:

9:00 P.M., September 29, 1973  
 9:00 P.M., October 6, 1973  
 9:00 P.M., October 27, 1973  
 3:00 P.M., November 10, 1973  
 3:00 P.M., November 17, 1973

EASTBOUNDFrom:

9:00 P.M., September 29, 1973  
 9:00 P.M., October 6, 1973  
 9:00 P.M., October 27, 1973  
 3:00 P.M., November 10, 1973  
 3:00 P.M., November 17, 1973

To:

3:00 A.M., September 30, 1973  
 3:00 A.M., October 7, 1973  
 3:00 A.M., October 28, 1973  
 9:00 P.M., November 10, 1973  
 9:00 P.M., November 17, 1973

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilmen Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when Roll was called: Councilman Binder

## SOILS INVESTIGATION AND TESTING SERVICE

Councilman Lebermann moved the Council approve by motion the selection of TRINITY ENGINEERING TESTING CORPORATION as the Soils Investigation and Engineering testing Service in connection with the following Capital Improvements Program Project:

Northwest Hills Library - Project No. 8508 0.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Friedman, Handcox,  
Lebermann  
Noes: None  
Absent: Mayor Pro Tem Love

## PROFESSIONAL CONSULTING ENGINEERING SERVICES

Councilman Lebermann moved the Council approve the selection of FREESE & NICHOLS as the Professional Consulting Engineering Services for the following 1973 Model Cities Street & Utility Improvement Projects for the Public Works and Water and Wastewater Departments:

3rd Year Model Cities Street & Utility Improvements Model Cities Area - Capital Improvements Program Project Nos. 6215 4, 4011 2, and 5021 2.

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,  
Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love

## NATURAL SCIENCE CENTER HEARING SET

Councilman Friedman moved the Council set a Public Hearing on the Natural Science Center for October 18, 1973 at 7:00 P.M. at the Electric Auditorium, as requested by Mr. Richard C. Baker. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder, Friedman,  
Noes: None  
Absent: Mayor Pro Tem Love  
Not in Council Chamber when Roll was called: Councilmen Dryden, Handcox

## STREET BANNERS

Councilman Friedman moved the Council approve the request of Mr. Hugh K. Higgins, Jr., Chairman Physical Arrangements- Austin Arts and Crafts Fair Committee, Chamber of Commerce, for the installation of two street banners to be located in the 1600 block of North Lamar Boulevard and 1200 block of South Lamar Boulevard, from October 29th to November 5th, 1973. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Lebermann, Friedman, Mayor Butler  
 Noes: None  
 Out of Room at  
 Roll Call: Councilmen Dryden, Handcox  
 Absent: Mayor Pro Tem Love

## REFUND CONTRACTS

Mayor Butler brought up the following ordinance for its first reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH WEST-LEACH, INCORPORATED AND L. A. FELDER, INCORPORATED; AND BUCKINGHAM RIDGE DEVELOPMENT COMPANY, JOINT VENTURE.

The ordinance was read the first time and Councilman Handcox moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler,  
 Councilman Dryden  
 Noes: Councilman Binder  
 Out of Room at  
 Roll Call: Councilman Friedman  
 Absent: Mayor Pro Tem Love

The following refund contracts were postponed at this time:

NORWAL, INC. Jerry N. Wallace, President	For water and sewer mains in Quail Creek West, Phase 2, Section 11 - \$19,521.06
NORWAL, INC. Jerry N. Wallace, President	For water and sewer mains in Quail Creek West, Phase 2, Section 10 - \$50,688.97

## PURCHASE CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH BUCKINGHAM RIDGE DEVELOPMENT COMPANY, JOINT VENTURE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Binder, Lebermann  
 Noes: None  
 Out of Room at  
 Roll Call: Councilman Friedman  
 Absent: Mayor Pro Tem Love  
 The Mayor announced that the ordinance had been finally passed.

#### CODE AMENDMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN CITY CODE OF 1967, PROVIDING ADDITIONAL AUTHORITY TO THE TRAFFIC ENGINEER TO PROVIDE MARKED TRAFFIC LANES TO BE USED EXCLUSIVELY BY BUSES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Dryden moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Lebermann, Friedman, Handcox  
 Noes: None  
 Out of Room at  
 Roll Call: Councilman Binder  
 Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41(d) OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SECTION, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN, CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Dryden moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Binder, Lebermann, Handcox,  
Mayor Butler  
Noes: None  
Out of Room at  
Roll Call: Councilman Friedman  
Absent: Mayor Pro Tem Love  
The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
TRACT 1: A 3,330 SQUARE FOOT TRACT OF LAND, FROM "C-2" COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT, AND,  
TRACT 2: A 6,000 SQUARE FOOT TRACT OF LAND, FROM "C" COMMERCIAL DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; LOCALLY KNOWN AS 8247-8311 RESEARCH BOULEVARD; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Dryden moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Lebermann, Friedman, Handcox, Mayor Butler,  
Councilman Dryden  
Noes: None  
Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
(1) A 10,554 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4811 RED BLUFF ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,  
(2) A 2 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1819 RUTLAND DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;  
SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE  
SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Dryden moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Eebermann, Friedman, Handcox, Mayor Butler,  
Councilmen Dryden, Binder  
Noes: None  
Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

#### ITEM POSTPONED

Councilman Friedman moved the Council postpone for 30 days an ordinance establishing an approach main charge for new water service outside the city limits. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Binder, Lebermann  
Noes: None  
Absent: Mayor Pro Tem Love

#### ORDINANCE REPEALED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCES NOS. 590910-F, 650909-F, 700129-D AND 700129-E BY REVISING SAID ORDINANCES TO DELETE ALL REFERENCES TO A CONSERVATION SURCHARGE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden,  
Binder, Lebermann, Friedman  
Noes: None  
Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

## REPORT ON BEEKEEPING

Councilman Binder stated Mr. Mike Erdmann had spent a lot of time and research on this subject. It was found that cities in the United States either ban or do not have an ordinance covering beekeeping. They were unable to find a compromise ordinance. Two things were pointed out: that the bees strayed from their hives for water and nectar. One proposal to keep the bees from traveling too far was to have water in the yard. This has its problems also if swimming pools were near. A six foot fence was suggested and a limit to four hives could be kept with a \$20.00 annual permit.

Councilman Binder moved the Council vote to set a public hearing on September 27, 1973, at 2:00 P.M. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes:	Mayor Butler, Councilmen Binder, Friedman, Handcox
Noes:	None
Out of Room at	
Roll Call:	Councilmen Dryden, Lebermann
Absent:	Mayor Pro Tem Love

## PAVING ASSESSMENTS

At 10:00 A.M. Mayor Butler opened the hearing on paving certain streets and asked if there was anyone wishing to be heard. One person spoke stating she had received a letter but was unable to make a payment at this time. Mayor Butler asked the City Attorney to explain to her the assessment plan. City Attorney Don Butler then explained the lien for the paving assessment stating unless she should sell the property or abandon it as a homestead, there would be no danger there, but that she should try to make some effort to pay the amount to avoid the interest charge. The Public Works Department tries to work these things out. She was referred to Mr. Reuben Rountree in Public Works Department for consultation.

Mayor Butler introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Binder, Lebermann, Friedman,  
Handcox  
Noes: None  
Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

City Attorney Don Butler filed an opinion certified by Mr. Perrone and Company, a qualified appraiser, who had made a personal inspection of all of these properties and certified his statement as required by the Statute that in his opinion each property has been enhanced in value by more than the paving assessment levied against the particular property. Mayor Butler asked that this be incorporated in the Records.

I have personally made physical inspection of below listed items.

In my opinion, each property has enhanced in value by more than the paving assessment attached to the property.

Joe Perrone

Harrol B. Caffey All of Lot 29A, Resub. of Lots 28 & 29, Blk. B Western Trails, Sec. I 4806-4802 Manchaca Road, \$997.79

Werner G. Schmidt Lot 24, Blk, A, Western Trails, Sec. I 4706 Manchaca Road \$443.46

Gordon W. Griffin Lot 28, Blk, A, Western Trails, Sec. I 4622 Manchaca Road \$443.46

Jonada Company, A Delaware Corp. Lot I, Sam N. Alfred Subd. 4410 Manchaca Rd. \$122.57

Robert C. Holt Lot 16, Blk, C, Park Forest Sec. I 4701 Manchaca Road \$36.48

Jeanne A. Allen Lot 21, Blk. B, Park Forest Sec. I 4619 Manchaca Road \$481.05

Richard J. Felip All of Lot 15A, Capital Court Addition 912 Capital Court \$196.36

Rogan B. Giles All of Lot 24, N.A. Ladd Addition 903 Capital Court \$256.85

Lois Reno All of Lot 25, N.A, Ladd Addition 901 Capital Court \$282.45

Juana Contreras Martinez All of Lot 7, Blk, 4, Resub. of Tracts No. 3, 4, 5, & 6 Out of O.S, Lattimore Subd. \$248.66 693 Cherico Street

Andrew Spence N. 83.64' of Lot 13, Blk. I, Outlot 29, "B", Chernosky Subd. No. 4 1306-1310 Clifford Avenue \$472.48

Jonnie DeVaughn S, 72.81' Av. Lot 2, Blk, 3, Outlot 29, Div. "B", Chernosky Subd. No. 4 1307-1309 Clifford Avenue \$401.36

Arthur Bynum All of Lot 3, Lesikar Subdivision 1405 Clifford Avenue \$321.99

Lenord O. Mann, Jr. All of Lot 5, Lesikar Subdivision 1409 Clifford Avenue \$321.99

Hosie Perkins All of Lot 3, Blk. 3, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1204 Cometa Street \$282.45

Harold R. Huth All of Lot 4, Blk. 3, Outlot 21, Div. "B" Chernosky Subd. No. 9  
1206 Cometa Street \$282.45

John Bueno All of Lot 6, Blk. 3, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1210 Cometa Street \$268.85

T. W. Kincheon, Jr. All of Lot 11, Blk. 3, Outlot 21, Div. "B", Chernosky Subd.  
No. 9 1306 Cometa Street \$282.45

Mace B. Thurman & Lee Burdett All of Lot 18, Blk. 3, Outlot 21, Div. "B" Chernosky  
Subd. No. 9 1406 Cometa Street \$282.45

James Maxwell All of Lot 19, Blk. 3, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1408 Cometa Street \$282.45

James H. Lee All of Lot 3, Blk. 4, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1205 Cometa Street \$282.45

Johnny Escobedo All of Lot 15, Block 4, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1401 Cometa Street \$282.45

Gilberto Castro All of Lot 16, Blk. 4, Outlot 21, Div. "B", Chernosky Subd. No. 9  
1403 Cometa Street \$282.45

Benjamin Clearmon Allen All of Lot 17, Blk. 4, Outlot 21, Div. "B", Chernosky  
Subd. No. 9 1405 Cometa Street \$282.45

Oralia Casarez Herrera All of Lot 18, Blk. 4, Outlot 21, Div. "B", Chernosky  
Subd. No. 9 1407 Cometa Street \$282.45

Vernon Abner All of Lot 26, Blk. C, Homewood Heights 2704 Crest Avenue \$282.45

Thomas E. Ates All of Lot 22, Blk. D, Homewood Heights 2803 Crest Avenue \$196.63

Idella Lewis All of Lot 38, Blk. 5, Masonfield 5000 Delores Avenue \$308.83

Rudolph Hunter All of Lot 35, Blk. 5, Masonfield 5006 Delores Avenue \$367.19

Clarence Clark, Jr. All of Lot 34, Blk. 5, Masonfield 5008 Delores Avenue \$282.45

Charlie Moss, Jr. All of Lot 29, Blk. 5, Masonfield 5200 Delores Avenue \$282.45

George Wesley Smith All of Lot 28, Blk. 5, Masonfield 5202 Delores Avenue \$282.45

Fritz Owens All of Lot 27, Blk. 5, Masonfield 5204 Delores Avenue \$395.99

Arron Taylor All of Lot 26, Blk. 5, Masonfield 5208 Delores Avenue \$393.17

Ira Hill All of Lot 22, Blk. 5, Masonfield 5300 Delores Avenue \$282.45

Damon Herbie Hill All of Lot 21, Blk. 5, Masonfield 5302-5306 Delores Avenue \$440.64

Tommie Lee James Mclean All of Lot 8, Blk. 6 Masonfield 5007 Delores Ave. \$282.45

Webster Cavanaugh All of Lot 11, Blk. 6, Masonfield 5105 Delores Avenue \$254.21

J. B. Tennon All of Lot 12, Blk. 6, Masonfield 5107 Delores Avenue \$254.21

Otis E. Norwood All of Lot 16, Blk. 6, Masonfield 5205 Masonfield 5205 Delores Avenue \$432.83

Tom LeMond All of Lot 17, Blk. 6, Masonfield 5209 Delores Avenue \$395.43

Tom LeMond All of Lot 18, Blk. 6, Masonfield 5211 Delores Avenue \$282.45

Browne Lewis Davis S. Center 53' x 140' of Lot 14 (unplatted) Live Oak Grove 2505 Durwood Street \$385.35

John A. Mercado Cen. 53' x 140' of Lot 14 (unplatted) Live Oak Grove 2503 Durwood Street \$385.35

Simon R. Salazar N. Center 50' x 128' of Lot 14 (unplatted) Live Oak Grove 2411 Durwood Street \$363.54

Joe M. Milicia All of Lot 2, Glisman Subdivision 5113-5201 Glisman Road \$323.25

Adam G. Guzman N. 40.02' of Lot 4 & S. 10' of Lot 5, Blk. 5, Resub. of Tracts 3-6 Out of O.S. Lattimore Subd. 738 Gunter Street \$248.75

Bobbie Williams N, 30.01' of Lot 8 & S. 20.0' of Lot 9, Blk. 5, Resub. of Tracts 3-6 Out of O. S. Lattimore Subd. 758 Gunter Street \$248.70

First Austin Realty Corp. S. 50' of Lot 11, Blk. 5, Resub. of Tracts 3-6 Out of O. S. Lattimore Subd. 804 Gunter Street \$248.66.

Ben Hernandez N. 30.02' of Lot 13 & S. 20' of Lot 14, Blk. 5, Resub. of Tracts 3-6 Out of O. S. Lattimore Subd. 816 Gunter Street \$248.75

Damon Herbie Hill All of Lot 21, Blk. 5, Masonfield 5315 Lott Avenue \$75.59

Ira Hill All of Lot 20, Blk. 5, Masonfield 5311-5313 Lott Avenue \$571.17

Mrs. Tommie Lee James McLean W. 25' of Lot 16 & All of Lot 15, Masonfield 5211-5213 Lot Avenue \$423.68

Martha Hill All of Lot 10, Blk. 5, Masonfield 5201 Lott Avenue \$298.35

Bessie Hill All of Lot 6, Blk. 8, Masonfield 5204 Lott Avenue \$283.58

Chester Moore All of Lot 19, Blk. C, Homewood Heights 1170 Oak Grove Ave. \$724.82

Tivusio Zapata All of Lot 18, Blk. C, Homewood Heights 1172 Oak Grove Ave. \$341.76

Addie Lee All of Lot 15, Blk. C, Homewood Heights 1178 Oak Grove Avenue \$282.45

Booker T. Moore All of Lot 13, Blk. C, Homewood Heights 1182 Oak Grove Ave. \$278.21

Olivia Williams All of Lot 33, Blk. D, Homewood Heights 1179 Oak Grove Ave. \$367.19

Leon Bonner All of Lot 35, Blk. D, Homewood Heights 1183 Oak Grove Ave. \$324.82

Opal Taylor All of Lot 36, Blk. D, Homewood Heights 1185 Oak Grove Ave. \$321.99

Mary Haywood S. 1/2 of Lot 37, Blk. D, Homewood Heights 1187 Oak Grove Ave. \$317.59

William Augustine N. 1/2 of Lot 37, Blk. D, Homewood Heights 1189 Oak Grove Avenue \$323.80

Robert T. Shorts All of Lot 1, Blk. 1, Chernosky Subd. No. 9 1200 Perez St. \$321.78

Martin Mindieta All of Lot 5, Blk. 1, Chernosky Subd. No. 9 1208 Perez Street \$282.78

Doyle Freeman Builders All of Lot 6, Blk. 1, Chernosky Subd. No. 9 1210 Perez Street \$282.45

Arthur Shuler All of Lot 10, Blk. 1, Chernosky Subd. No. 9 1304 Perez St. \$282.45

Mrs. Beatrice Gooden All of Lot 11, Blk. 1, Chernosky Subd. No. 9 1306 Perez Street \$282.45

Austin Acceptance Corp. All of Lot 14, Blk. 1, Chernosky Subd. No. 9 1312 Perez Street \$282.45

George Gonzales All of Lot 18, Blk. 1, Chernosky Subd. No. 9 1406 Perez St. \$282.45

Gilbert Burlison All of Lot 36, Blk. 2, Chernosky Subd. No. 9 1213 Perez Street \$282.45

William E. Zidell A-1 of Lot 22, Blk. 2, Chernosky Subd. No. 9 1413 Perez Street \$271.10

Edmunds Travis Lot 6 Less E. 10', Blk. 2, Chernosky Subd. No. 10 1711 Perez Street \$285.27

Perry White All of Lot 8, Lesikar Subdivision 1600 Sanchez Street \$321.99

Reyes S. Cruz All of Lot 3, Chernosky Subd. No. 13 1700 Sanchez Street \$401.08

Walter B. Johnson S. 41.8' of E. 92' Lot 16, Henry Ulit Subd. of Outlot 28 Div. "B" 1704 Sanchez Street \$236.13

Gentry Hudspeth C. 41.8' of E. 92' of Lot 16, Henry Ulit Subd. Outlot 28, Div. "B" 1706 Sanchez Street \$236.13

Sylvester Boyd N. 41.8' of E. 92' of Lot 16, Henry Ulit Subd. Outlot 28 Div. "B" 1710 Sanchez Street \$236.13

George W. Franklin S. 52.25' of E. 92' of Lot 15, Henry Ulit Subd. of Outlot 28 Div. "B" 1800 Sanchez Street \$295.16

Porter Williams S. 48' of W. 92' of Lot 13, Henry Ulit Subd. Outlot 29 Div. 13 1401 Sanchez Street \$271.15

Tom Middleton S. 48' of N. 145.26' of Lot 13, Henry Ulit Subd. of Outlot 29 Div. "B" 1403 Sanchez Street \$271.15

Lillie Mae Johnson N. 48.63' x 199.13' Lot 13, Henry Ulit Subd. of Outlot 29 Div. "B" 1407 Sanchez Street \$274.71

Rosalie Dillard Wicks N. 52.25' of Lot 12, Henry Ulit Subd. of Outlot 28 & 29 Div "B" 1601 Sanchez Street \$295.16

Alanzo Clark N. 50' x W. 196.5' Lot 10, Henry Ulit Subd. of Outlot 28, Div. "B" 1703 Sanchez Street \$282.45

Leslie Jones S. 53.46' of Lot 8, Henry Ulit Subd. of Outlot 28 Div. "B" 1801 Sanchez Street \$302.00

Walter B. Johnson, Sr. S. 43.5' of W. 68.37' Lot 7, Henry Ulit Subd. of Outlot 28 Div. "B" 1809 Sanchez Street \$245.73

William H. Johnson N. 124.85' of W. 57.5' Lot 7, Henry Ulit Subd. of Outlot 28 Div. "B" 1815 Sanchez Street \$539.89

Arthur B. Dickerson E. 21.66' of Lot 1 & W. 21.66' of Lot 2, C. R. Johns Subd., Blk. 6 2102 East 20th Street \$244.77

Mary Lou Akes W. 50' of S. 99' Lot 3, Blk. 6, C. R. Johns Subd. 2106 East 20th Street \$282.45

Robert Collins W. 49' of Lot 2, Blk. 5, C. R. Johns Subd. 2202 East 20th St. \$276.80

Hermon Terrell N. 50' of Lot 8, Blk. 1, C. R. Johns Subd. 1901-1903 East 20th Street \$237.19

S. I. Arnn All of Lot 7, Blk. 1, C. R. Johns Subd. 1905-1909 East 20th St. \$367.19

Pearline Earls E. 41.15' Av. Lot 7, & W. 3.32' Lot 6, Blk. 4, C. R. Johns Subd. 2205 East 20th Street \$257.14

Willie Chapel Primitive Baptist Church E. 15.85' Av. Lot 6 & All Lot 5, Blk. 4, C. R. Johns Subd. 2207-2211 East 20th Street \$355.42

I have made a personal physical inspection of each above captioned property.

It is my opinion that each property has enhanced in value by more than the paving assessment attached thereto.

Joe Perrone

## HEARING ON AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

At 10:00 A.M., Acting Mayor Dryden opened the hearing on an amendment to the Austin Development Plan affecting 90 acres in the Santiago Del Valle Grant in Travis County located south of Austin one mile south of Bluff Springs Road between the old Lockhart Road and I.H. 35 to change the land use designation from Suburban Residential to Manufacturing and Related Uses. (Requested by Mr. Wroe Owens for Velma Brown Newberry Estate.)

Planning Engineer Dick Lillie described the tract as being in the vicinity of John Roberts Corporation. The application calls for about 90 acres on the east side of I.H. 35 between the upper Lockhart Highway and I.H. 35. The Planning Commission in their review, the Master Planning Committee and the Staff's recommendation are that this application be approved for that portion which is west of the creek and with frontage on I.H. 35. The portion east of the creek should be retained as a residential designation. The Highway Department's comment, with respect to access on I.H. 35, is that at present, the east frontage road of I.H. 35 is two-way. As the area develops, the east frontage road would be changed to one-way north and one-way south as it is in the urbanized portion of the city. The application does have the recommendation of both the staff and commission.

Councilman Friedman was concerned about the protection of the natural area in this particular site. Mr. Lillie stated that a part of the recommendation included a site plan requiring that the staff would have a review with the developers as they start to develop. Further in the recommendation is that there would be a 50-foot building setback from the property line and as they review the site plan, the topography along the creek drops off sharply and it would be difficult to come in close proximity to the creek.

Mr. Irwin Jamison asked about the requirements of notices before the master plan is changed. It was pointed out there was no official notice required; however, the staff furnishes a complimentary notice to adjoining property owners and a map in the paper a week prior to the Council meeting. He had tried to be heard before the Planning Commission, but he was asked to talk to the "City Commission." Mr. Jamison lives in Perkins Valley. He was opposed to any change because the area is residential, and he saw no reason to change it. He pointed out mobile home locations in the area. Mr. Jamison inquired about annexation. Mr. Lillie stated that when the area becomes urbanized, and the City extends its facilities, the properties would be annexed. As to residential property, Mr. Lillie reported that a special point was made to delete a part of the area from this amendment because it was residential.

After discussion, Councilman Handcox moved to close the hearing and to proceed with the amendment to the Austin Development Plan as follows:

An area of approximately 90 acres out of the Santiago Del Valle Grant in Travis County, Texas, located south of Austin approximately one mile south of Bluff Springs Road between the Old Lockhart Road and I.H. 35, to change the land use designation from Suburban Residential to Manufacturing and Related Uses - requested by Wroe Owens for Velma Brown Newberry Estate.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Binder, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None  
Absent: Mayor Pro Tem Love

DISCUSSION OF CONTRACT FOR PURCHASING  
WATER FROM AUSTIN BY MANOR

Mr. Glen Cortez represented the City of Manor in contracting for purchase of water from the City of Austin. The Mayor of Manor was not able to be present. Mr. Cortez recognized some people present in support of the Manor plea--Mr. David Samuelson, County Commissioner; Mr. Doug McHenry, Department of Housing and Urban Development; Mr. Curtis Adrian, Financial Counsel; and Mr. Isom Hale, Consulting Engineer for Manor.

Mr. Cortez stated that in 1968 the City of Manor officially requested the City of Austin to let them connect to the City of Austin line at the Manor High School along Highway 290. In response, they were told in writing in May, 1968, that the City Council had authorized the City Manager to enter into and negotiate a contract with the City of Manor at that time, and that such a contract could be negotiated based on current rates and on connections to be made at the Manor High School. In reliance to this commitment, Manor obtained a 90% grant for improvement of water, sewer and drainage facilities from the Department of Housing and Urban Development. The grant was based upon Manor's obtaining water from Austin. At that time, it was contemplated that Manor would obtain this, based on the letter of commitment which it received in 1969. The grant was finally established in October 1972. The City of Manor voted \$155,000 in bonds to fulfill its commitment under the grant obligation and to do additional work that was required. In November 1972, shortly after the grant was made by HUD, Manor called upon Austin to pick up the water in accordance with the commitment that had been made in 1973. Since then there have been numerous meetings and conversations in attempting to negotiate this contract, which they thought they had. Since then, the City of Austin's position had changed quite radically, and Manor was approached with the idea they had to provide \$200,000 in order to obtain water from the City of Austin and this would involve the cost of constructing a water main from the Decker Lake site, or Decker Road site into Manor. The amount later was reduced to \$100,000.

Mr. Cortez stated the problem was the City of Manor did not have the \$100,000 for this line. They had \$97,000 allocated by HUD to improve their drainage system.

Manor is asking now to come back to the City Council and request that they go back to the original agreement, that they be permitted to join the water line at the Manor High School, and allow Manor to draw water from that site in order to fulfill their needs and pay the standard rate.

The City Council of Manor appears to be in opposition to diverting the \$97,000 for drainage, as this drainage is highly important to the City.

Mayor Butler took note that since the water line was installed a number of years ago to serve the Manor High School, it does not have adequate capacity to serve the City of Manor.

Mr. Cortez stated that if they were to go at Austin's rate of 200 gallons per day per person, it would take about 130 gallons per minute to provide their needs. They are presently using about 41 gallons per minute. Along with other problems, there is not sufficient pressure.

Mayor Butler asked for the Staff's recommendation. Deputy City Manager, Homer Reed pointed out that if the line located at the High School were used, it could flow enough water to serve Manor; however, the problem is that the elevation parts of that portion of District No. 8 would be drained, and those people would be out of water. The Director of Water and Waste Water, Curtis Johnson stated there are several subdivisions along Highway 290 on which there are already plats filed and development started. With this in mind there would not be sufficient water at the end of the line to furnish any to the City of Manor.

Councilman Lebermann brought up the use of the new policy of water extensions to large developments in the extra-territorial jurisdiction. He stated he wanted to help Manor as much as possible. He suggested the policy recently developed would apply in this case--(\$21.00 policy). Mr. Reed stated the basis of the recommendation before the Council is that the City in effect would assign to Manor a portion of the capacity of that line and charge them only for that portion of the cost. At this point, Mr. Curtis Adrian, Financial Advisor for the City of Manor reported that the City of Manor, in March of 1973, voted \$105,000 bonds for water purposes. In addition, they voted \$50,000 for sewer improvements and \$105,000 available for water improvements for the City of Manor and there are to be matching funds. The total funds amount to \$571,000 which is a unique situation. Manor is the only City in the State, and only two in the Nation that receives a 90% grant, and as their Financial Advisor, he would like to see them lose no part of this, as they desperately need it. Discussion was held on part of the bonds as to how they would be allocated, as some could not be switched from one project to another.

Mayor Butler said the Administration had tried to bend over backwards in getting water to Manor, but they do not feel that it is proper to tap on to the High School. If they go the other route using other formulas, Manor should come up with the \$200,000, or the \$100,000. Mr. Adrian discussed the Revenue Bonds, as well as the General Obligation Bonds which would necessitate raising their tax rate to the maximum.

Councilman Lebermann in his calculation found Manor had \$700,000 including matching funds plus their own totalling \$760,000 for the water, drainage, and other improvements. The funds cover only drainage, sewer and water. He was trying to work out something through the policy the Council had established to try to provide relief for the City of Manor.

City Manager Davidson said he knew the Council had been very concerned about the people that need water in Manor, and they have been reminded over and over again about this so-called commitment. He found the City of Austin was prepared to connect Manor to the system immediately after that commitment was made. The delay referred to was brought about through actions of inaction by the City of Manor, not

the City of Austin. The capacity in the existing lines was used up or committed between then and now, and he did not believe that the City could have maintained an obligation to hold that capacity for something so indefinite.

Councilman Friedman inquired about entering into a contract with Manor for deferred payment. Mr. Adrian's answer was that Manor would be borrowing money from the City in effect. Councilman Binder stated something in that line could be worked out.

Mr. Cortez explained that certain members of the Manor Council were not at the meeting. It appeared if they could divert money from HUD for the drainage to the water line, that \$100,000 might be available. In the meantime they had asked HUD if this diversion would be possible. Mr. Douglas McHenry, official of HUD, said they could transfer the grant funds applicable to the drainage facilities to the water facilities. Mayor Butler stated the answer is, they do have the \$100,000; if they so choose. That would be at the expense of the drainage system, Mr. Cortez pointed out. Mr. Cortez asked for at least about 150 gallons per minute, which could be controlled throughout the day and taking off peak hour loads. The water would be impounded in a reservoir.

Mayor Butler stated it would appear that the 8 inch line would be the best way to go, and it would be only a matter of decision to divert some of the drainage money into this water and get a first class water supply. He emphasized there is a way for Manor to get a water supply. Mr. Cortez said they considered the drainage matter as one of priority which they want to retain.

Commissioner Samuelson stated if it were in their legal ability, he would certainly help. He stressed the need of improving the drainage system in Manor. He explained the economic structure of Manor had changed, whereas the City formerly could take care of its needs. Now the only thing Manor had to offer to the City of Austin was more poverty. If conditions are not improved, the people could not exist and they would begin to move. He encouraged both Councils to look at this problem very closely.

Mayor Butler, in line with Mr. Cortez' and Councilman Friedman's suggestions, stated it might be appropriate to meet again with the Manor Council and have them reassess their option and priorities. He thought this matter was a policy matter at this time.

Councilman Lebermann said it was worthy of mention that because of other development obligations along the proposed 12 inch and 8 inch lines, that Austin could extend itself to that extent.

Mr. Curtis Johnson listed the costs involved in projects now at a half-million dollars. The Mayor stated Manor was being asked only for \$100,000 for its part.

City Manager Davidson reported that the Council would have to move a second line of \$178,000, ahead of something else in the C. I. P.

Mr. Isom Hale, consulting engineer for the City of Manor, listed some suggestions that he had made, not entirely accepting Austin's recommendations. One was a booster pump on a temporary basis for the next two or three years. Number two was that Austin could accommodate Manor on a temporary basis for the next two or three years; and to take water out of the 6 inch main. City Manager Davidson stated that would not be acceptable at all, and the City of Austin would not enter into that kind of an association.

Mayor Butler told Mr. Hale that Manor could accept the 50% offer, and get the water--that is to use their \$100,000. Mayor Butler stated that was far more generous than any other policy, besides moving \$178,000 in the C. I. P. ahead of something else. Also, the Mayor stated that Mr. McHenry, HUD, had indicated these monies for Manor could be reallocated.

Councilman Dryden moved that this matter be sent back with the feelings expressed by this Council through Mr. Cortez, Mr. Samuelson, Mr. Hale, and to the Manor City Council, and let them decide whether or not they want to accept the working agreement that had been proposed. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Lebermann, Friedman, Handcox,  
Mayor Butler, Councilman Dryden  
Noes: None  
Absent: Mayor Pro Tem Love

In conclusion, Councilman Binder inquired of Commissioner Samuelson if Manor does not have the money they need for the water, and Austin does not have any money to put in the line, if the County had the money. Commissioner Samuelson stated he had said within his legal ability, he would be willing to do whatever is possible. Mayor Butler asked if he could put up some of the \$100,000 from the County. Mr. Samuelson doubted that he could, but he would put it before the County. He also doubted whether or not they could use revenue sharing money.

Mayor Butler suggested that Mr. Samuelson get with Mr. Cortez and the County Commissioners and see if there could be some revenue sharing money out of the \$900,000 they had only committed.

Mr. Samuelson stated one of the reasons they had not spent all of those funds was they wanted to participate with the City of Austin on some of the social service problems, particularly, the Consumer Division. He stated there was a possibility that some of the programs the City could not handle could be funded.

SELECTION OF ARCHITECTURAL SERVICES  
FOR NORTHWEST HILLS LIBRARY - PROJECT NO. 8508 0

City Manager Davidson stated this facility was purchased and that the Council approved the purchase of property at the Shopping Center.

After discussion, Councilman Lebermann moved the Council award the contract to Mr. Charles B. Croft's Firm. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes:	Councilmen Lebermann, Friedman, Handcox, Dryden, Binder
Noes:	None
Out of Room at	
Roll Call:	Mayor Butler
Absent:	Mayor Pro Tem Love

#### TAX APPEAL

Mrs. E. E. Watkins appeared before the Council, representing Mrs. G. E. Emmons, on an appeal of taxes for 1970, 1971, 1972 evaluations on property located at 1004 and 1006 West 31st Street. Mrs. Emmons had purchased these homes, one for her homestead, one to provide some rental income in her declining years, and she had worked to retain their residential character. There had been quite a lot of property purchased on this street on the north side by the Austin Doctors Building Corporation. However, they were not, Mrs. Watkins said, interested in the property on the south side of this street. Her next door neighbor, Mrs. Stumpf, had her land value reduced by 12.5% by the Board of Equalization on 1970 taxes, and to 62.5% of the original assessment by the Council in that year, to a land value of \$1.25 per square foot.

Mrs. Emmons' land value was also reduced by 12.5% by the Board of Equalization in 1970; however, she then appealed to the City Council in 1970 and this appeal had never been heard or come before the Council until this date. Mrs. Watkins explained that since the taxes for the years 1971, 1972 and 1973 were predicated on the outcome of this Council hearing, that all taxes be treated as one and that the Council remove the penalties and interest in the accrued years. Mrs. Emmons paid her 1970 taxes under protest, but had not paid the other years, as her appeal was still pending.

Mr. Jack Klitgaard, Tax Assessor, explained that this appeal was one of several that the 1970 Council simply did not hear prior to going out of office in May of 1971. Six properties in this neighborhood were reduced by the Council from \$1.75 to \$1.25 per square foot. Four properties at the west end of this property were reduced to \$1.25 and were subsequently sold for over \$3.00 per square foot. The only sale available on the south side of the street was at 45 cents. He stated no appeals had been filed for 1971, 1972 or 1973, but the only appeal Mrs. Emmons had filed to date was for 1970. She asked for 75 cents. It was noted that time had run out for appeals for 1971 and 1972, but that Mrs. Emmons could file an appeal for 1973.

Councilman Dryden moved the Council reduce the taxes on these two properties to \$1.25 a square foot for the year 1970 only. The motion was seconded by Councilman Lebermann.

Councilman Binder made a substitute motion to reduce the valuation to 75 cents a square foot, but this motion died for lack of a second.

The original motion carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Binder, Lebermann  
Noes: None  
Absent: Mayor Pro Tem Love

#### PUBLIC HEARING SET

Councilman Handcox brought up a request for a public hearing on a park site for the University Hills neighborhood. Councilman Handcox moved the Council set a public hearing for October 11, 1973, at 2:00 P.M. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Binder,  
Lebermann, Friedman  
Noes: None  
Absent: Mayor Pro Tem Love

#### ITEM STUDIED

Councilman Lebermann requested that the City Manager study the item of solid waste disposal and report back to the Council.

#### 1973-74 OPERATING BUDGET

The Council discussed the Operating Budget and approved the following Special Service items:

AUSTIN ASSOCIATION FOR RETARDED CHILDREN	\$ 12,500
CEREBRAL PALSY CENTER	12,500
AUSTIN CHILD GUIDANCE CENTER	43,398
AUSTIN EVALUATION CENTER	3,000
MIDDLE EARTH	5,500
YOUTH EMERGENCY SERVICES	3,000
AUSTIN REHABILITATION CENTER (Probation Services)	Deleted
UNITED ACTION FOR THE ELDERLY	1,552
ORNAMENTAL HORTICULTURIST	4,000
TRAVIS COUNTY PERSONAL BOND PROGRAM	12,022
TRAVIS COUNTY VETERANS SERVICE OFFICE	23,391
ZACHARY SCOTT THEATRE	18,000
AUSTIN SYMPHONY SOCIETY	11,500
LAGUNA GLORIA (no additional in-kind services)	30,000
CAPITOL AREA PLANNING COUNCIL	37,681
AUSTIN CIVIC BALLET	4,500
AUSTIN BALLET SOCIETY	Deleted
AUSTIN CIVIC CHORUS (keep under PARD)	No grant
HUMANE SOCIETY	36,000
AUSTIN COMMUNITY TELEVISION (loan equipment)	10,103
PEOPLE'S FREE CLINIC	7,500
MH-MR (out of 1973-74 Revenue Sharing)	201,122

There was a question on the 5.5% employee pay raise, and it was noted that this would not preclude the granting of merit raises.

After discussion of the People's Free Clinic, pointing out that many doctors volunteer their services to this organization and that it covered people who were not served in other areas, such as Brackenridge Hospital Clinic and the Student Health Services, it was decided to allot \$7,500 to this clinic. Other funds will be raised by volunteers. The motion was made by Councilman Friedman and seconded by Councilman Lebermann and carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Binder, Lebermann, Friedman,  
Handcox  
Noes: None  
Absent: Mayor Pro Tem Love

Last year the Mental Health-Mental Retardation service received \$110,000. This year they were requesting \$360,000. There was only a small portion of this broken down as to where the money would go. The Council agreed that the methadone program was a very worthwhile service and agreed to support it; however, there should be a monitoring of all the MH-MR personnel to see how the staff is used. The recommended amount of \$201,122 for the methadone program was agreed upon, and it was recommended that the whole amount be taken out of the 1973-1974 Revenue Sharing funds. This will not cause any risk with matching grants. Councilman Friedman moved that the Council grant them \$250,000. The motion, seconded by Councilman Binder, failed to carry by the following vote:

Ayes: Councilmen Binder, Friedman  
Noes: Councilmen Dryden, Lebermann, Handcox, Mayor Butler  
Absent: Mayor Pro Tem Love

It was noted that perhaps MH-MR would get \$85,000 from the County, and perhaps the State could be encouraged to fund them also.

Councilman Dryden moved the Council accept the recommendation of the City Manager and the Budget Director and grant the \$201,122 out of the 1973-1974 Revenue Sharing funds. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
Noes: Councilmen Friedman, Binder  
Absent: Mayor Pro Tem Love

At this time, Councilman Handcox had a question about the Operating Budget pertaining to the management of the golf courses and the job descriptions of the Golf Manager, supervisors and foremen. The City Manager had received a lot of complaints about maintenance in the golf course operation and he agreed to get with the Councilman on the matter.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1973, AND TERMINATING SEPTEMBER 30, 1974, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; AND DECLARING AN EMERGENCY.

Councilman Dryden moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Binder, Lebermann  
Noes: None  
Absent: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

#### VETERAN'S DAY HOLIDAY

Councilman Friedman moved the Council reinstitute Veteran's Day as a holiday in exchange for taking out Washington's Birthday in 1974. This would be for the one year only. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Binder, Friedman  
Noes: None  
Out of  
Room at  
Roll Call: Councilmen Lebermann, Dryden  
Absent: Mayor Pro Tem Love

It was noted at this time by the City Manager that this would incur a cost of \$15,000 for the Fire Department as their holidays are arranged on a calendar year basis. In response to Councilman Friedman's question, the City Manager stated that to include an additional holiday would cost the City \$200,000.

#### PEDESTRIAN SAFETY INVENTORY

Mr. John S. Fenton, District Manager of the American Automobile Association and Mr. Alan Sears, appeared before the City Council to present a special award for outstanding reduction of pedestrian fatalities and injuries in the American Automobile Association's 34th annual Pedestrian Safety Inventory. Mr. Sears took note this was the second time he presented this Special Citation for a remarkable record in highway safety. He stated this was a high honor for the City, and was delighted to present this again to Mayor Butler. Mayor Butler asked that this award be placed in an appropriate place in the City Hall.

#### AWARD OF CONTRACT TO WESTINGHOUSE ELECTRIC CORPORATION FOR TURBINE GENERATOR FOR DECKER #2

City Manager Davidson stated that this recommendation was brought to the Council as prepared by the Consultant Engineer, BOVAY, BURNS, McDONALD INC., and also as recommended by the Staff of the Electric Utility. The recommendation to award the contract was in accordance with the early plan which had been reviewed by the Department and by the City Council.

At the time the plan for this unit was approved to proceed, it was evident to the Mayor and members of Council that one uncertainty about this particular proposal had to do with the City's ability to provide gas or fuel oil to operate the unit. He stated for the record and to the City Council that this question is still open, and the answer to that question had not been finally determined. For that reason, the Director of Electric Utilities had a letter from the recommended contractor indicating that should the City determine not to proceed with this unit by December 1, 1973, that the City may cancel the contract without any monetary penalty or cost to the City. City Manager Davidson stated the Administration recommends award of the contract.

Mayor Butler asked that the letter pointing out these terms be made a part of the minutes. Councilman Handcox asked if the same proposals were made to the other bidder for the letter of contract to be effective in this manner, or if it were only proposed to the recommended bidder, City Manager Davidson said this was only requested, not proposed. They asked the bidder they were recommending what would their terms or their conditions be if the City decided not to go ahead with the unit. They were aware that in this particular industry, one of the key factors involved is to get into the production line. In this case, they would not ask the other bidder for such a letter even though they would discuss such an arrangement if the Council were to decide that they were to deal with another company instead of the one they are recommending. City Attorney Butler stated that in their proposals they had a similar phrase as to the termination, and this could all be worked out.

Councilman Binder asked for comment on the forced outage for the record. Mr. R. L. Hancock, Director of Electric Utilities, stated the specifications developed by the engineers did not provide for an evaluation of forced outage rates, although they are an important part of the performance of the turbine generator unit and they do have a monetary value. Mr. Hancock asked Mr. Dick Robinson with Bovay, as project manager, to discuss forced outage rates. Mr. Robinson reported the suppliers had evaluated the proposals and specifications and arrived at a recommendation. He stated both of these companies are very reputable manufacturers who have made many units this size and other sizes. He stated they take the position because these are reputable manufacturers that they would provide the City a unit as they had proposed and that it would perform as they say it will. Councilman Friedman also discussed the outage with Mr. Robinson suggesting that the City should go with the company that historically perhaps has the least amount of outages. Mr. Robinson stated the efficiency on the Westinghouse unit was slightly higher than General Electric, and that entered into the evaluation of costs.

Members of the Council discussed technicalities with Messrs. Robinson, representing Bovay Engineers, Project Manager; Bill Scoggins, District Manager for Westinghouse in this area, who had worked with the City on many turbine jobs and many power plant projects from the small 20 KWH units at Seaholm Plant to a 350 KWH large unit at Decker, and Pete Abdalla from Westinghouse's Turbine Division. Mr. Jeryl Merdock, representing General Electric Company, designing and building of turbine generators of 405,000 KWH capacity, stated this presented a challenge that is far greater than what is involved in units of the size now operating in Austin. Mr. Merdock suggested that the City examine the track record provided to the City of statistical reliability information on 639 units by G.E. Mr. Bovay, Engineer, stated both G.E. and Westinghouse are fine outstanding companies in the

American system, and that he worked with both of the companies. In this particular case, they believed that Westinghouse met the specifications for the best price, and that they will deliver a quality product, service it and stand behind it just as would G.E.

At this time, Councilmen Binder and Friedman had further questions to ask Mr. Bovay, who discussed the questions with them. Councilman Dryden, noting the legal matters and engineering aspects of a \$11,000,000 machine, stated the Council is in a position of depending on the department heads and the consulting engineers who are helping the Council in this tremendous project. Councilman Lebermann pointed out besides outage time, there were other items to be considered in making a judgement such as efficiency and fuel use. He was interested in that the machine they are getting is the best for the use it is to be put to. After further discussion, Councilman Dryden moved the Council uphold the recommendation of the City Manager, Mr. Davidson, and the Director of Electric Utilities, Mr. R. L. Hancock, and accept the bid of the Westinghouse product. The motion was seconded by Councilman Lebermann.

Mayor Butler stated that before the vote was made on this motion, he would like Mr. Scoggins, for the record, to affirm the understanding of the Council that the contract could be terminated without jeopardy to the City of Austin anytime up to December 1st of this year. Mr. Scoggins stated that is correct, and the letter to that effect is on file. The motion, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Binder, Lebermann, Handcox  
 Noes: Councilman Friedman  
 Absent: Mayor Pro Tem Love

Councilman Friedman made a statement in that his vote was not a reflection on either G. E. or Westinghouse or particularly the consultants as everybody understands what the Council is looking at here. If there is a question of forced outage, the biggest concern is to make sure the machine is running when it is needed; and in his attempt, perhaps by voting "no" at this time, maybe the company will be a little more careful if there is going to be a problem. At least he thought it was important that regardless of who hires the consultant or the fact that they place high esteem for the consultant, sometimes it is necessary to take issue with their recommendations.

Mayor Butler stated definitely, it is the Council's prerogative and responsibility that the final decision is the Council's. On behalf of the City, Mayor Butler expressed appreciation for the bid made by Mr. Merdock. Paraphrasing Councilman Friedman, Mayor Butler emphasized the vote was not a lack of confidence in General Electric's product or company but when two or three groups of consultants make a recommendation, it makes the decision much more difficult for the Council to go otherwise. He thanked Mr. Merdock for his interest in this City. Mr. Scoggins thanked the Council for the confidence they had placed in his company.

LETTER TO BE PART OF THE MINUTES OF THIS DATE

Mayor Butler asked that the following letter be a part of the minutes of this date, September 13, 1973, with the original filed in the City Clerk's Office.

Westinghouse Electric Corporation

Power Systems

201 North Saint Mary's St.  
San Antonio, Texas 78205

September 12, 1973

City of Austin  
P. O. Box 1088  
Austin, Texas 78767

Attention: Mr. R. L. Hancock, Director Electric Utility

Subject: Turbine Generator and Accessories Bid  
Contract D201

Gentlemen:

Please be advised that we will offer free cancellation charges until  
December 1, 1973.

Yours Very Truly,

/s/ H. Dale Carver  
H. Dale Carver  
Power Systems Sales

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#### AERIAL BRIDGE

Mr. Robert C. Sneed, representing Mr. John D. Byram, came before the Council regarding an aerial passageway and requesting a change in Section 36-317, Aerial Passageways, to not require the fire doors if both ends of passageways are not located closer than 15 feet to any building and to request a permit for construction of an aerial passageway on property locally known as 2518 Matthews Drive. Mr. Sneed apologized for the error made by his client in constructing a small aerial passageway from one part of his property to another across a city street without a permit. In order to try to cure the matter, they were asking two things: (1) that an amendment be made to the applicable ordinance relating to the requirement of fire doors. This particular passageway does not go from building to building but from boundary wall to boundary wall and it is more than 15 feet away from any building structure. He asked that the ordinance be amended to contain the language filed in their application which would say that if the terminal ends of the passageway were more than 15 feet from any building it would not be required to have the automatic fire doors. (2) At this time he wanted to amend the application for the issuance of a permit and include within it the alternate request, that is if the Council does not see fit to amend the ordinance excluding the fire doors under such situations that they then be granted a permit and they would put the fire doors in. He stated, however, that that would detract from appearance, but his client would be willing to do that if the Council so desired.

City Attorney Don Butler stated this was specifically spelled out in the Building Code. As to other passageways over an Austin street, the City Attorney stated the builder would require the approval of the City Council. Mr. Sneed pointed out the uniqueness of this situation in that there are few times, if ever, in the City of Austin that there is property where there is construction and then separated into two parcels by a public street. Each one of the lots in that particular area has property on both sides of the street. Mr. Sneed pointed out there were other passageways that had been granted in the city. He offered an apology and admitted their mistake. He said they could take the structure down immediately on the east side and it could be disconnected on the west side and no longer be in violation.

Councilman Friedman discussed the violation with Mr. Sneed in that he was asking that the Ordinance be changed. Mr. Irwin Spear, who lives on Pecos Street and not far from where the bridge is, stated the bridge has been the topic of much adverse comment among the people in West Austin as well as the West Austin Neighborhood Association. He suggested that before this Council permit this bridge to be left there, that a public hearing be called. Mr. Spear said Scenic Drive is a residential street and people were very irate about this bridge. Councilman Dryden stated that this man had submitted an apology for the mistake and admission that he did make a mistake. Mayor Butler pointed out that mistakes are made at times like Sgt. White's case and others where their carports were built too close and were not in compliance.

Mr. Roy T. Walker purchased his homestead at 2509 Scenic Drive and made a few statements apparently in ppposition. Councilman Lebermann stated any change in the ordinance relating to fire doors, etc., would have to be brought forward in a public hearing. Mayor Butler stated that the City Attorney says not. Councilman Binder stated the issue was whether the bridge is to remain or whether the ordinance is changed. Councilman Friedman wanted the matter referred to the Environmental Board and then brought back to the Council with their recommendation for a public hearing. Councilman Binder moved the Council deny the request of the applicant. Councilman Lebermann offered a substitute motion that this matter be sent to the Environmental Board. Councilman Friedman offered an amendment to the substitute motion that when the recommendation is brought back to the Council that there be a public hearing. Councilman Lebermann included the amendment in his substitute motion. Mayor Butler announced that Councilman Binder withdrew his motion. Councilman Lebermann's motion, seconded by Councilman Friedman, carried by the following vote:

Ayes:	Councilmen Dryden, Binder, Lebermann, Friedman, Mayor Butler
Noes:	None
Out of Room at	
Roll Call:	Councilman Handcox
Absent:	Mayor Pro Tem Love

**COST DIFFERENCES IN 12 INCH PIPE OVER 8 INCH**

Councilman Dryden moved the Council adopt a Resolution authorizing payment to owners of cost differences as follows:

NORWAL, INC, - Jerry N. Wallace, President - cost difference of 12"/8" water main in Quail Creek West, Phase 2, Section 10 \$4,742.85

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Lebermann, Friedman, Handcox, Dryden  
Noes: None  
Present But Not Voting: Mayor Butler  
Absent: Mayor Pro Tem Love

Councilman Dryden moved the Council adopt a Resolution authorizing payment to owners of cost differences as follows:

BUCKINGHAM RIDGE DEVELOPMENT CO, Joint Venture - C. W. Hetherly, Jr., President - cost difference of 10"/8" sewer main in Buckingham Ridge, Section 1 - \$255.99

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Binder  
Noes: None  
Present But Not Voting: Mayor Butler  
Absent: Mayor Pro Tem Love

ADJOURNMENT

The Council then adjourned.

APPROVED: Ray Butler  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk